

**PROCEEDINGS OF THE BOARD OF HEALTH MEETING**  
**Tuesday, January 13, 2015**  
**5:00 PM**

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Present: Audrey Murphy, J.J. Tibbetts, MD, Susan Paulus Smith, Harold Pfotenhauer, Richard Schadewald

Excused: Joe Van Deurzen

Staff Present: Judy Friederichs, Chua Xiong, Rob Gollman, Patti Smeester, Debbie Armbruster, Jason Aho, Lisa Hodgins

Others Present: Bill Acker, Melissa Kitchenakow, Chris Culotta from Wisconsin Division of Public Health

**1. Call to Order, Welcome, and Introductions**

Brown County Health Department staff and Board of Health introduced themselves as well as all others present.

**2. Approval / Modification of the Agenda**

MOTION: To approve the agenda as presented.

Tibbetts/Pfotenhauer

MOTION CARRIED

**3. Approval of Minutes of November 11, 2014**

A suggested spelling revision was requested.

MOTION: To approve the minutes as corrected.

Tibbetts/Pfotenhauer

MOTION CARRIED

**4. Certificate of Level III Designation to the Health Department**

Chris Culotta, the NE Region Director for the State of Wisconsin Division of Public Health, explained that state statutes requires that every five years the State must do a minimal compliance check of all health departments in Wisconsin. On December 18<sup>th</sup> the State of Wisconsin was here to do the Level III 140 review for the Brown County Health Department. Chris presented a Certificate of Designation to the Board of Health and Judy. Audrey congratulated the staff and recognized the organization and their efforts.

**5. Open Session: Discussion and hearing on the licensing of Anthony J. Kitchenakow for the Tattoo/Body Piercing Establishment previously doing business as Electric Art, located at 1723 University Avenue, Green Bay, Wisconsin.**

The establishment was found to be in operation without a license issued by the Brown County Health Department on December 17, 2014, after the license was surrendered by the previous licensee at that address. Rob Gollman indicated that Anthony Kitchenakow was served notice of the meeting in the form of a letter and was provided with an agenda. Judy Friederichs and Rob Gollman previously had a conference call with Anthony informing him of the meeting date. Anthony Kitchenakow was not present but Mr. Kitchenakow's wife, Melissa was present. Anthony asked Melissa to come to the meeting because he was held

up due to vehicle problems but did not call prior to the meeting to authorize her as his agent. Audrey questioned whether Melissa could legally represent Mr. Kitchenakow. There was discussion amongst board members whether Melissa could act as agent for Mr. Kitchenakow since he did not authorize her as his agent prior to the meeting. Since Mr. Kitchenakow was served notice it was decided to go into closed session.

MOTION: To go into closed session at 5:30 PM.

Roll call vote: Ayes: Pfothenauer, Paulus Smith, Tibbetts; Nays: Murphy

MOTION CARRIED.

6. **Closed Session: Discussion and hearing on the licensing of Anthony J. Kitchenakow for the Tattoo/Body Piercing Establishment previously doing business as Electric Art, located at 1723 University Avenue, Green Bay, Wisconsin. Notice is hereby given that the above governmental body will adjourn into closed session pursuant to Wis. Stat. §19.85(1)(b) which authorizes a closed session to consider licensing of persons by a board or commission and the taking of formal action on any such matter provided that the person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session.**

7. **Reconvene into Open Session: Discussion and possible action on the licensing of Anthony J. Kitchenakow for the Tattoo/Body Piercing Establishment previously doing business as Electric Art, located at 1723 University Avenue, Green Bay, Wisconsin.**

Back in open session at 6:15 PM.

Upon return from closed session Anthony Kitchenakow was present.

MOTION: To advise the issuance of a conditional license if application is made for tattoo or tattoo and body piercing. The terms and conditions as stated in the letter as drafted shall be followed.

Tibbetts/Pfothenauer

MOTION CARRIED.

MOTION: To depart from the regular order of business to hear public comments.

Tibbetts/Pfothenauer

MOTION CARRIED.

Anthony J. Kitchenakow, Sr., 1138 Langlade Avenue, Green Bay, WI 54304.

Anthony addressed the Board by apologizing for his late arrival. Anthony commented he was in favor of stricter sanctions not only on his establishment but on all establishments. Anthony bought the business on October 10, 2013 and his lease started on October 13, 2014, and indicated the previous owner was tattooing minors. Anthony indicated he has never had any problems with any of his establishments. He indicates he inherited the problems from the previous owner. He works hand and hand in the community. He indicates he works with the police department gang squad unit to remove gang tattoos to help the community. Anthony thought the license transferred over as he paid for it. He indicates his equipment was stolen and he is waiting for the police to finish their investigation. Once the previous owner left he did not know the license went with him. He apologized to the Board.

Audrey stated the Health Department would be giving him a letter today. Rob Gollman gave Mr. Kitchenakow the letter with terms and conditions and indicated it will be a conditional license issued after issues are addressed.

Dr. Tibbetts asked Rob Gollman to make the appointment with Mr. Kitchenakow to review conditions. Rob instructed Mr. Kitchenakow to contact him with questions and to discuss the requirements prior to scheduling the pre-inspection.

MOTION: To regular to the regular order of business.

Pfotenhauer/Tibbetts

#### **8. Odor Complaint Update**

There have been no odor complaints noted since the last meeting. There have been no complaints to date for 2015.

#### **9. Correspondence**

Judy mentioned a letter from Mr. Witte which was emailed to Board members and a hard copy was handed out to the Board members at the meeting. Judy also handed out a copy of an email which came from Mark Werner from the State of Wisconsin. Audrey indicated she received a letter of support dated December 12, 2014 from Senator Frank Lasee which a hard copy was also given to the Board members. Dr. Tibbetts indicated he had binders for the Board members from the Brown County Citizens for Responsible Wind Energy (BCCRWE) which contains correspondence from all over the world in support of the action of the Board of Health regarding the industrial wind turbines. Audrey mentioned the audit we did on December 8<sup>th</sup> in which there were certain questions that were asked of the department before the State arrived for the audit and Judy answered most of those questions in writing and it is a wonderful review and informative. Patti indicated she would make copies and give to the members of the Board.

#### **10. Educational Presentation: Lisa Hodgins-Environmental Health Services**

Lisa Hodgins presented "A Day in the Life of a Public Health Inspector." Their duties include inspections of restaurants, grocery stores, and gas stations that sell food, school cafeterias, swimming pools, hotels, campgrounds, mobile home parks, tattoo & body piercing establishments, temporary events and festivals, and food recalls. The Public Health Inspector also inspects living conditions, investigates lead poisonings, provides education and outreach, assists in emergencies, handles nuisance complaints – odor/noise, tests and assesses well water, informs people about radon & other health issues.

#### **10a. Request Authorization for Changes to License Fee Schedule Not Reflected in 2015 Approved Budget.**

Rob asked the Board to correct a typographical error in the fee schedule to change the first offense penalty for certified food manager not on staff from \$123.00 to \$127.00 to accurately reflect the 3% fee increase approved and to increase the "other permit" inspection fee from \$41.00 to \$45.00. This increase is necessary due to declining revenues from an increase in the number of state licensed and other agent licensed mobile units and temporary food stands that operate in Brown County at temporary events such as Artstreet, Fire Over The Fox, the farmers markets, etc. We are required to honor these licenses but may charge a fee for inspection.

MOTION: To authorize the license fee changes proposed to the 2015 Fee Schedule.

Paulus Smith/Pfotenhauer

MOTION CARRIED.

## **11. Director's Report**

Communicable Disease - Chua Xiong reported there has been a respiratory outbreak in a nursing home and one Norovirus. We have 16 respiratory outbreaks that the nursing staff is working with; 9 of them are nursing homes and 7 are CBRF's. With these respiratory influenza outbreaks in the nursing homes, the concern is in the supply of Tamiflu. Tamiflu is the antiviral that is prescribed for anyone who gets influenza who is considered high risk. It has to be given within the 24 to 48 hours to have any effect. With the nursing home the concern is the supply or the ability to get Tamiflu. The state has a supply of Tamiflu and in an outbreak situation we would work with the nursing home to get them Tamiflu to prevent the spread of the outbreak. The nursing home has to use all their resources for Tamiflu. The State would be a last resort. Once their resources run out the Health Department would supply them with the Tamiflu but their medical doctor has to work with that facility for the residents. If the staff has their own primary physician they would go through their physician. The State had a webinar last Thursday and they indicated that this year has some of the most reported cases of influenza with 2,441 hospitalized cases. Out of 2,441 hospitalized cases, 1,724 were cases of persons 65 and older. Chua indicated that nationwide, 68% is the influenza A H3N2 and that is the one that drifted. This (drifted version) was not in the vaccine component. We do have some Tamiflu on hand as it takes the State 48 to 72 hours to ship. If we had a nursing home that would need Tamiflu, it is available to them. The vaccine available does provide some protection so the Health Department still encourages getting the flu shot and hand washing. There was one death in Brown County and two others elsewhere in the State of Wisconsin. Chua also indicated with have two cases of HIV in which we are concerned over their risk behavior.

Recruitments – Human Resources is close to setting up interviews for the new director and Judy has been asked to sit on the interview panel. The two sanitarian positions have been reposted so we can get at least 8 qualified applicants to interview. Chua Xiong will be interim director starting January 31, 2015.

CHIP – We went through our CHIP process and we selected an additional priority – mental/behavioral health. On December 8, 2014 there was a public policy breakfast which targeted local officials regarding the alcohol issue in the community.

Do1Thing - Anna Destree and Paul Gazdik, the Emergency Management Director got a Mayor's Award for their inter-government partnership related to the Do1Thing campaign. They worked with the leaders of different governments in our community, including the Oneida Tribe of Indians to promote the program and to promote the value of local preparedness within their organizations.

Facility update – Moving our department seems to be on hold for now. Patti Smeester talked about the new cameras in our office. They were placed in the garage, overlooking the cash register and faced at the front door. Hopefully within a month we will be able to record. We are waiting for Technology Services to set up a needed server to store recorded data. There will be a monitor placed on the front counter to view the garage when employees are installing car seats for safety reasons.

## **12. All Other Business Authorized by Law**

None.

**13. Adjournment / Next Meeting Schedule**

NEXT MEETING: TUESDAY, JANUARY 20, 2015, AT 5:00 PM AT UW EXTENSION OFFICE, 1150 BELLEVUE STREET, GREEN BAY, WI, WHICH IS A SPECIAL MEETING WITH DUKE ENERGY. Judy presented two options for an agenda for this meeting and the notice of special meeting with public comments was chosen.

TUESDAY, MARCH 10, 2015, 5:00 PM REGULAR MEETING

MOTION: To adjourn meeting at 7:47 PM.

Pfotenhauer/Paulus Smith

MOTION CARRIED